

March 1999

International Services Surveys Conducted by the Bureau of Economic Analysis:

Reporting Requirements for Forms

BE-20, BE-22, BE-29, BE-30, BE-36, BE-37, BE-47, BE-48, BE-80, BE-82, and BE-93

INTRODUCTION

This brochure describes each of the mandatory surveys of U.S. international services transactions conducted by the Bureau of Economic Analysis (BEA) of the U.S. Department of Commerce. For each survey, it provides information on the frequency, data to be reported, and who must report.

The legal authority for all of the surveys is the International Investment and Trade in Services Survey Act (P.L. 94-472, as amended); the BE-80 and BE-82 surveys are also authorized by the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4908). Under the International Investment Act, whoever is required to report but fails to do so may be subject to civil penalties (and/or criminal penalties, for willful noncompliance) and to injunctive relief commanding compliance. Under this same law, responses of individual respondents must be held confidential.

All U.S. persons who engage in covered transactions with foreign persons must report unless otherwise exempt. The term "U.S. person" is defined as any individual, branch, partnership, associated group, association, estate, trust, corporation, or other organization resident in the United States or subject to the jurisdiction of the United States.

BEA's mandatory services surveys are:

- BE-20 Benchmark Survey of Selected Services Transactions With Unaffiliated Foreign Persons
- BE-22 Annual Survey of Selected Services Transactions With Unaffiliated Foreign Persons
- BE-29 Foreign Ocean Carriers' Expenses in the United States
- BE-30 Ocean Freight Revenues and Foreign Expenses of United States Carriers
- BE-36 Foreign Airline Operators' Revenues and Expenses in the United States
- BE-37 U.S. Airline Operators' Foreign Revenues and Expenses
- BE-47 Annual Survey of Construction, Engineering, Architectural, and Mining Services Provided by U.S. Firms to Unaffiliated Foreign Persons
- BE-48 Annual Survey of Reinsurance and Other Insurance Transactions by U.S. Insurance Companies With Foreign Persons
- BE-80 Benchmark Survey of Financial Services Transactions Between U.S. Financial Services Providers and Unaffiliated Foreign Persons
- BE-82 Annual Survey of Financial Services Transactions Between U.S. Financial Services Providers and Unaffiliated Foreign Persons
- BE-93 Annual Survey of Royalties, License Fees, and Other Receipts and Payments for Intangible Rights Between U.S. and Unaffiliated Foreign Persons

Questions concerning forms BE-20, BE-22, BE-47, BE-48, BE-80, BE-82, and BE-93 should be directed to the International Investment Division at (202) 606-5588. Questions concerning forms BE-29, BE-30, BE-36, and BE-37 should be directed to the Balance of Payments Division at (202) 606-9589 or (202) 606-9559.

1. BE-20, Benchmark Survey of Selected Services Transactions With Unaffiliated Foreign Persons

a. Frequency:

The survey is conducted once every 5 years. Previous surveys covered transactions during 1986, 1991, and 1996; the next survey will cover transactions during 2000. The 1996 survey was required to be filed by March 31, 1997.

b. Brief description of data to report:

The 1996 BE-20 covered transactions (purchases and sales, or, for some services, only purchases) with unaffiliated foreign persons in the following types of services:

Purchases and sales:

- Accounting, auditing, and bookkeeping services
- Advertising services
- Agricultural services
- Computer and data processing services
- Data base and other information services
- Educational and training services
- Employment agencies and temporary help supply services
- Industrial engineering services
- Industrial-type maintenance, installation, alteration, and training services
- Legal services
- Mailing, reproduction, and commercial art
- Management of health care facilities
- Management, consulting, and public relations services
- Miscellaneous disbursements or outlays:
 - To fund news-gathering costs of broadcasters
 - To fund news-gathering costs of print media
 - To fund production costs of motion picture companies
 - To fund production costs of broadcast program material other than news
 - To maintain government tourism and business promotion offices
 - To maintain sales promotion and representative offices
- Operational leasing services
- Other private services (This service consists of language translation services, security services, collection services, actuarial services, salvage services, satellite photography services, and oil spill and toxic waste cleanup services)
- Performing arts, sports, and other live performances, presentations, and events
- Research, development, and testing service
- Sale or purchase of rights to natural resources and lease bonus payments
- Telecommunications services
- Use or lease of rights to natural resources, excluding lease bonus payments

Sales (receipts) only

Merchanting services

Purchases (payments) only:

Construction, engineering, architectural, and mining services
Financial services, by firms that are not financial services
intermediaries or providers
Miscellaneous disbursements or outlays for participating in foreign
trade shows
Premiums paid or losses recovered on purchases of primary insurance

c. Who must report/exemption:

The last BE-20 was required from each U.S. person who, during its 1996 calendar or fiscal year, had transactions (either sales or purchases) with unaffiliated foreign persons in excess of \$500,000 in any of the services listed above. If, during the year, the U.S. person's total transactions (either sales or purchases) in any of the services were \$500,000 or less, the U.S. person was requested to provide, on a voluntary basis, estimates of the total for each type of service. The estimates could be judgmental, that is, based on recall, without conducting a detailed manual records search.

2. BE-22, Annual Survey of Selected Services Transactions With Unaffiliated Foreign Persons

a. Frequency:

The survey is an annual report and must be filed by March 31 of the calendar year following the one in which the U.S. Reporter's fiscal year ends. It is conducted in years when the quinquennial BE-20 benchmark survey is not conducted (The quinquennial benchmark survey was conducted in 1986, 1991 and 1996, and will be conducted every fifth year thereafter.)

b. Brief description of data to report:

Currently, the BE-22 covers transactions (purchases and sales, or, for some services, only purchases) with unaffiliated foreign persons in the following types of services:

Purchases and sales:

Accounting, auditing, and bookkeeping services
Advertising services
Computer and data processing services
Data base and other information services
Educational and training services
Industrial engineering services
Industrial-type maintenance, installation, alteration, and
training services
Legal services
Management, consulting, and public relations services
Miscellaneous disbursements or outlays:
To fund news-gathering costs of broadcasters
To fund news-gathering costs of print media
To fund production costs of motion picture companies

To fund production costs of broadcast program material other than news
To maintain government tourism and business promotion offices
To maintain sales promotion and representative offices
Operational leasing services
Other private services (This service consists of language translation services, security services, collection services, actuarial services, salvage services, satellite photography services, and oil spill and toxic waste cleanup services
Performing arts, sports, and other live performances, presentations, and events
Research, development, and testing service
Sale or purchase of rights to natural resources and lease bonus payments
Telecommunications services
Use or lease of rights to natural resources, excluding lease bonus payments

Sales (receipts) only

Merchanting services

Purchases (payments) only:

Construction, engineering, architectural, and mining services
Disbursements or outlays for participating in foreign trade shows
Financial services, by firms that are not financial services intermediaries or providers
Premiums paid or losses recovered on purchases of primary insurance

c. Who must report/exemption:

A BE-22 report is required from each U.S. person who, during the reporting period, has transactions (either sales or purchases) in excess of \$1,000,000 in any of the services listed above. If the U.S. person's total transactions (either sales or purchases) with unaffiliated foreign persons in any of the services were \$1,000,000 or less, the U.S. person is requested to provide, on a voluntary basis, an estimate of the total for each type of service. The estimates may be judgmental, that is, based on recall, without conducting a detailed manual records search.

3. BE-29, Foreign Ocean Carriers' Expenses in the United States

a. Frequency:

The survey covers calendar years and must be filed within 90 days after the end of the calendar year.

b. Brief description of data to report:

U.S. agents of foreign ocean carriers must report all relevant transactions of which they have knowledge on port services provided or obtained by them for foreign carriers, and on port services provided by third persons, including:

Port call expenses
Cargo expenses
Fuel expenses
Other vessel expenses
Other expenses

Shipping weight of cargo handled

However, U.S. agents for operators with home offices or principal places of business in Canada, Sweden, Japan, and the United Kingdom are exempted from reporting, because the governments of these countries file consolidated reports on behalf of their ocean carriers.

c. Who must report/exemption:

A BE-29 is required if the U.S. agent handled at least forty port calls by foreign vessels, and total covered expenses are \$250,000 or more. A U.S. agent is exempt from reporting if either the total number of port calls by foreign vessels handled in the reporting period is less than forty or if total covered expenses are less than \$250,000.

4. BE-30, Ocean Freight Revenues and Foreign Expenses of United States Carriers

a. Frequency:

The survey covers calendar quarters and must be filed within 50 days after the end of the calendar quarter.

b. Brief description of data to report:

U.S. carriers (owners or operators) must report the following data by individual foreign country:

- Revenue on cargo outbound from U.S. ports
- Outbound cargo shipping weight
- Revenue on cross-trade cargoes
- Charter hire paid
- Charter hire received
- Expenses in foreign countries
- Revenue on cargo inbound into the United States
- Inbound cargo shipping weight

c. Who must report/exemption:

A BE-30 is required if either total covered revenues or total covered expenses of a U.S. carrier are, or are expected to be, \$500,000 or more. A U.S. carrier is exempt from reporting if both total covered expenses and total covered revenues are, or are expected to be, each less than \$500,000.

5. BE-36, Foreign Airline Operator's Revenues and Expenses in the United States

a. Frequency:

The survey covers calendar years and must be filed within 90 days after the end of the calendar year.

b. Brief description of data to report:

Reports are required from U.S. offices, agents, or other representatives of foreign airline operators that transport passengers or freight and express to

or from the United States. The following data must be reported:

Freight revenue on merchandise exported from or imported into the United States
Shipping weights on which the freight revenues were earned
Expenses incurred in the United States for fuel and oil, wages and salaries paid to employees in the United States, agents' and brokers' fees and commissions for arrangement of freight and passenger transportation, aircraft handling and terminal services, and all other expenses incurred in the United States except aircraft leasing expenses
Aircraft leasing expenses

c. Who must report/exemption:

A BE-36 is required if either total covered revenues or total covered expenses incurred in the United States are \$500,000 or more. A person is exempt from reporting if total covered revenues and total covered expenses incurred in the United States are each less than \$500,000.

6. BE-37 U.S. Airline Operators' Foreign Revenues and Expenses

a. Frequency:

The survey covers calendar quarters and must be filed within 50 days after the end of the calendar quarter.

b. Brief description of data to report:

U.S. airline operators engaged in international transportation of passengers and freight to or from the United States and between foreign points must report the following data:

Total revenue derived from carriage of export freight and express from the United States to points outside the United States
Total revenue derived from carriage of freight and express originating from, or destined to, points outside the United States
Expenses incurred outside the United States for fuel and oil, station and maintenance bases, wages, and other goods and services purchased abroad except aircraft leasing expenses
Aircraft leasing expenses
Total revenue from carriage of passengers originating from or destined to points outside the United States
Interline settlement receipts from and payments to foreign airline operators

c. Who must report/exemption:

A BE-37 is required where either the U.S. airline operator's total annual covered revenues or total annual covered expenses are, or are expected to be, \$500,000 or more. A U.S. airline operator is exempt from reporting if both total annual covered revenues and total annual covered expenses are, or are expected to be, each less than \$500,000.

7. BE-47, Annual Survey of Construction, Engineering, Architectural, and Mining Services Provided by U.S. Firms to Unaffiliated Foreign Persons

a. Frequency:

The survey is an annual report and must be filed by March 31 of the calendar year following the one in which the U.S. Reporter's fiscal year ends.

b. Brief description of data to report:

The BE-47 collects the following data on construction, engineering, architectural, and mining services performed for unaffiliated foreign persons:

- Gross value of new contracts received
- Gross operating revenues (sales)
- U.S. merchandise exports
- Foreign expenses or disbursements

c. Who must report/exemption:

A BE-47 is required if **either** the gross value of new contracts received **or** gross operating revenues for all countries and all projects combined is \$1,000,000 or more. It must be filed by each U.S. person providing the following types of services to unaffiliated foreign persons:

- Services of a general contractor in the fields of building construction and heavy construction
- Construction work by special trade contractors, such as the erection of structural steel for bridges and buildings and on-site electrical work
- Services of a professional nature in the fields of engineering, architecture, and land surveying
- Mining services in the development and operation of mineral properties, including oil and gas field services

A U.S. person is exempt from reporting if, with respect to transactions with unaffiliated foreign persons, both the gross value of new contracts received and gross operating revenues for all countries and all projects combined was less than \$1,000,000 during the year.

8. BE-48, Annual Survey of Reinsurance and Other Insurance Transactions by U.S. Insurance Companies With Foreign Persons

a. Frequency:

The survey is an annual report and must be filed by March 31 of the calendar year following the one in which the U.S. Reporter's fiscal year ends.

b. Brief description of data to report:

U.S. persons who have engaged in reinsurance transactions with foreign persons, or who have earned premiums from, or incurred losses to, foreign persons in the capacity of primary insurers must report the following data:

- Premiums earned on reinsurance assumed from insurance companies resident abroad
- Losses incurred on reinsurance assumed from insurance companies resident abroad
- Premiums incurred on reinsurance ceded to insurance companies resident abroad
- Losses recovered on reinsurance ceded to insurance companies resident abroad
- Premiums earned on primary insurance sold to foreign persons
- Losses incurred on primary insurance sold to foreign persons

c. Who must report/exemption:

A BE-48 is required if the U.S. person's transactions during the year with affiliated and unaffiliated foreign persons combined in any of the six items listed above was \$1,000,000 or more. A U.S. person is exempt from reporting if, with respect to transactions with foreign persons, each of the above six items was less than \$1,000,000 during the year.

9. BE-80, Benchmark Survey of Financial Services Transactions Between U.S. Financial Services Providers and Unaffiliated Foreign Persons

a. Frequency:

The survey is conducted once every 5 years. The first survey covers transactions that occurred during 1994. A completed 1994 Form BE-80, consisting of Form BE-80(A) and, as appropriate, one or more Forms BE-80(B), was due May 31, 1995.

b. Brief description of data to report:

The 1994 BE-80 covered purchases from and sales to unaffiliated foreign persons of financial services. Purchases and sales data must be separately

reported for each of the following types of financial services:

- Brokerage, except foreign exchange brokerage services
- Private placement services
- Underwriting services
- Financial management services
- Credit-related services, except credit card services
- Credit card services
- Financial advisory and custody services
- Securities lending services
- Foreign exchange brokerage services
- "Other" financial services (must be specified)

c. Who must report/exemption:

A BE-80 was required from each U.S. person who, during its 1994 calendar or fiscal year, had transactions (either sales or purchases) in excess of \$1,000,000 in all covered financial services combined. If, during the year, the U.S. person's total financial services transactions (either sales or purchases) were \$1,000,000 or less, the U.S. person was requested to provide, on a voluntary basis, an estimate of the total for each type of financial service. The estimates could be judgmental, that is, based on recall, without conducting a detailed manual records search.

10. BE-82, Annual Survey of Financial Services Transactions Between U.S. Financial Services Providers and Unaffiliated Foreign Persons

a. Frequency:

The survey is an annual report and must be filed by March 31 of the calendar year following the one in which the U.S. Reporter's fiscal year ends. It is conducted in years when the quinquennial BE-80 benchmark survey is not conducted (The quinquennial benchmark survey was conducted in 1994, and will be conducted every fifth year thereafter).

b. Brief description of data to report:

The BE-82 covers purchases from and sales to unaffiliated foreign persons of financial services. Currently, purchases and sales data must be separately reported for each of the following types of financial services:

- Brokerage, except foreign exchange brokerage services
- Private placement services
- Underwriting services
- Financial management services
- Credit-related services, except credit card services
- Credit card services
- Financial advisory and custody services
- Securities lending services
- Foreign exchange brokerage services
- "Other" financial services (must be specified)

c. Who must report/exemption:

A BE-82 is required from each U.S. person who, during its fiscal year, had transactions (either sales or purchases) in excess of \$5,000,000 in all

covered financial services combined. If, during the year, the U.S. person's total financial services transactions (either sales or purchases) were \$5,000,000 or less, the U.S. person is requested to provide, on a voluntary basis, an estimate of the total for each type of financial service. The estimates may be judgmental, that is, based on recall, without conducting a detailed manual records search.

11. BE-93, Annual Survey of Royalties, License Fees, and Other Receipts and Payments for Intangible Rights Between U.S. and Unaffiliated Foreign Persons

a. Frequency:

The survey is an annual report and must be filed by March 31 of the calendar year following the one in which the U.S. Reporter's fiscal year ends.

b. Brief description of data to report:

The BE-93 collects the following data from U.S. persons who have entered into agreements with unaffiliated foreign persons to buy, sell, or use intangible assets or proprietary rights:

Purchases and sales of rights related to --

- Industrial processes and products
- Books, records, audio tapes, etc.
- Trademarks, etc.
- Performances and events pre-recorded on motion picture film and TV tape
- Broadcast and recording of live performances and events
- General use computer software

Receipts and payments of --

- Business format franchising fees
- Fees for "other" intangibles (must be specified)

c. Who must report/exemption:

A BE-93 is required if the total of covered receipts from or payments to unaffiliated foreign persons were \$500,000 or more during the year. A U.S. person is exempt if receipts and payments for each of the types of intangible assets covered were less than \$500,000 during the year.